

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2009-070126

08/18/2011

COMMISSIONER J. JUSTIN MCGUIRE

CLERK OF THE COURT  
E. Ramirez  
Deputy

ATLAS IV-D 000529653900  
STATE OF ARIZONA, EX REL, DES  
ASHLEY MARIE FAST

ASHLEY MARIE FAST  
21542 W GRIFFIN ST  
WITTMANN AZ 85361

AND

CALEB PHILLIP FAST

CALEB PHILLIP FAST  
5902 W ROYAL PALM RD #56  
GLENDALE AZ 85302

AG-CHILD SUPPORT-NORTH  
CENTRAL OFFICE  
FAMILY COURT SERVICES-CCC

IV-D CONTEMPT HEARING

Courtroom 506—Central Court Building

10:40 a.m. This is the time set for 3<sup>rd</sup> Enforcement Review Hearing following entry of *Enforcement Judgment and Order* on February 9, 2011. Petitioner/Mother, Ashley Marie Fast, is present on her own behalf. Respondent/Father, Caleb Phillip Fast, is present on his own behalf. The State is represented by Assistant Attorney General Steven G. Smith.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Ashley Marie Fast and Caleb Phillip Fast are sworn.

Case status is reviewed: The parties were before the Court on May 26, 2011. Father was found in continuing contempt of Court and the order was affirmed that Father was to pay child support timely and in full commencing March 1, 2011.

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Counsel for the State advises the Court the current support order is \$406.97 per month, which includes a \$30 per month payment on arrears. Father's child support payment history posted through the Support Payment Clearinghouse since May 26, 2011, is recited for the record.

Ashley Marie Fast testifies.

Caleb Phillip Fast testifies.

**THE COURT NOTES** that Father continues to appear before the Court with excuses and without compliance.

**LET THE RECORD REFLECT** that Father is admonished for failure to pay child support timely and in full as previously ordered by the Court.

**LET THE RECORD FURTHER REFLECT** that Father is admonished that if he cannot afford to pay the current child support order he is obligated to file a petition to modify the current child support order. Father is directed to the Self-Service Center, the Referral for Legal Resources listed hereinbelow, and/or the office of the Assistant Attorney General for assistance in filing the appropriate Petition to Modify Child Support with the Court.

Based upon the evidence and argument presented the Court makes the following findings and orders:

**THE COURT FINDS** that Obligor/Father is in *continuing* contempt of Court for failure to comply with a valid support order of which Obligor had knowledge. Obligor willfully failed to make support payments as previously ordered despite his ability to do so. As a sanction,

**IT IS ORDERED** that Obligor, **Caleb Phillip Fast**, shall be remanded to the custody of the Maricopa County Sheriff's Department and shall remain incarcerated in the Maricopa County Jail for an indefinite period of time. Obligor may purge himself of contempt by paying a case purge release in the amount of **\$400.00 CASH ONLY**.

**ANY MONIES PAID AS AND FOR PURGE SHALL BE FORWARDED TO THE SUPPORT PAYMENT CLEARINGHOUSE AND APPLIED TOWARD SUPPORT/ARREARAGE PAYMENTS.**

**IT IS FURTHER ORDERED** that Obligor may be placed in the Work Release Program (participation contingent upon Jail Classification/MCSO approval) to be released for employment, Monday through Friday from 6:00 a.m. to 8:00 p.m.

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**ISSUED:** Order of Confinement

**IT IS FURTHER ORDERED** setting an Enforcement Return Hearing on **September 15, 2011, at 3:30 p.m.**, in this division, to monitor Obligor's status of incarceration and payment of the cash purge as follows:

The Honorable J. Justin McGuire  
Maricopa County Superior Court  
**Central Court Building, 5<sup>th</sup> Floor**  
**Courtroom 506**  
201 West Jefferson  
Phoenix, AZ, 85003  
**602-506-0862**

**Failure to appear by Obligor, Caleb Phillip Fast, shall result in the issuance of a Child Support Arrest Warrant and/or entry of a default judgment.**

**IT IS FURTHER ORDERED** that, if Obligor/Father remains incarcerated on the date and time of the Enforcement Review Hearing, the Maricopa County Sheriff's Office shall either transport him to the aforementioned location or provide him access to a telephone so that he may appear telephonically. The call shall be initiated by MCSO to this division [(602) 506-0862] on the date and time of the hearing.

**IT IS FURTHER ORDERED** affirming Father's child support obligations are \$371.97 per month for Current Child Support, \$30.00 per month for Payment on Arrears—plus the applicable Support Payment Clearinghouse fees—for a monthly obligation of \$406.97.

**IT IS FURTHER ORDERED** directing the courtroom clerk to update the address for Father in iCIS as stated on the record this date in open court.

10:50 a.m. Hearing concludes.

**LATER**

The Court is provided with Clerk of the Court receipt #21579592, dated 08/18/2011, time 12:56:58, for payment in full by Father of the purge release amount of \$400.00

**FILED:** Clerk of the Court receipt #21579592

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

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**PLEASE NOTE:** This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.

**PLEASE NOTE:** If Obligor (the party required to pay support) cannot afford to pay the current child support order, he/she is obligated to file a petition to modify the current child support order. Obligor is directed to the Self-Service Center, the Referral for Legal Resources listed hereinbelow, and/or the office of the Assistant Attorney General for assistance in filing the appropriate Petition to Modify Child Support with the Court.

**REFERRAL FOR LEGAL SERVICES**

(1) Self Service Center, 101 West Jefferson, East Court Building, Phoenix, AZ. Automated telephone number: (602) 506-SELF. (Provides a variety of forms and instructions.) The parties may also obtain various forms from the Self-Service Center website at:  
<<http://www.superiorcourt.maricopa.gov/ssc/sschome.html>>

(2) Lawyer Referral Service, 303 E. Palm Lane, Phoenix, AZ 85004 (Phone: (602) 257-4434). (Also available at: [www.maricopabar.org](http://www.maricopabar.org)) (This organization will refer you to a lawyer that meets your needs in your part of town. There is a \$35 charge for the first 30-minute conference. Any fees thereafter are set by the particular attorney.)

(3) Community Legal Service: 305 S. 2nd Ave. P.O. Box 21538, Phoenix, AZ 85036-1538 (Phone: (602) 258-3434). (Composed of Legal Aid Society and volunteer lawyers. The availability of service depends on your income level.)

(4) Family Law Assistance Program: (Phone: (602) 506-7948). Located on the 6th Floor of the Central Court Building, 201 W. Jefferson Street, Phoenix. (A program sponsored by the Volunteer Lawyers Program and Community Legal Service. The ½ hour consultation is free to eligible clients or a \$35.00 fee for those who don't meet eligibility requirements.)

(5) Modest Means Project: (Phone (866) 637-5341). (A program sponsored by the State Bar of Arizona and the Arizona Foundation for Legal Services and Education, and other non-profits. The Arizona Modest Means Project provides low-cost legal assistance to people who cannot afford the expertise of attorneys' at the standard rates, but who cannot qualify for free legal services due to income qualification or other restrictions. The Project serves those whose income is less than or equal to 250% of the federal poverty guidelines.)